

EXHIBIT 2

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Ms. Molly Thomas-Jensen
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Via Email

Ref: Civil Action No. 2:22-cv-00059-AM; *Sandra C. Torres, et al vs. Daniel Defense, LLC, et al* In the United States District Court, Western District of Texas, Del Rio Division

Counsel:

With respect to your email this morning concerning Plaintiffs' request to voluntarily dismiss the *Torres* matter, without prejudice, so that you may refile in the Austin Division and add additional Plaintiffs, we cannot agree to that given our pending Rule 12(b)(6) motion to dismiss with prejudice. However, we can agree to either of the following.

1. Daniel Defense would not oppose a motion for your new plaintiffs to join/intervene in the existing *Torres* suit in Del Rio provided that all the Plaintiffs and/or Intervenors do not oppose Daniel Defense filing a second Rule 12(b)(6) motion to dismiss said claims.
- or
2. Daniel Defense will not oppose a request to dismiss all other Defendants in the *Torres* matter without prejudice *except* for Daniel Defense. This would allow Daniel Defense to obtain a ruling on its pending motion.

Again, if these options are unacceptable and you insist on seeking dismissal of the entire *Torres* case without prejudice to refile, then we respectfully oppose and will ask the Court to rule on our 12(b)(6) motion.

Please advise.

Sincerely,



DAVID M. PRICHARD